**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**

**F.A.O NO. 1339 OF 2007**
**DECIDED ON : 14.05.2007**

**Sona Devi and others**

**...Appellants**

**versus**

**Anekpal and others**

**...Respondents**

**CORAM : HON'BLE MR. JUSTICE A. N. JINDAL.**

Present: Mr. Vikas Jain, Advocate,
for the appellants.

**A. N. JINDAL, J.**

As a skull of the motor vehicular accident on 21.05.2002, Mulak Raj died. Consequently, the claimants (hereinafter referred to as appellants) being his wife, children and parents filed the claim petition which was accepted by the Motor Accident Claims Tribunal, Faridabad on 31.03.2005 wherein the claimants were awarded a sum of Rs. 3,54,600/- along with interest @ 6 percent per annum from the date of filing the petition till the date of its realization.

Being dissatisfied with the aforesaid amount, the claimants have come up in appeal for enhancement.

Heard.

The deceased was 30 years old. As per petition, he was earning Rs.3000/- per month. As per Sona Devi PW-1, he was earning Rs.4000/- per month whereas the salary certificate issued by M/S Panch Bhai Sabun Factory, a different income has been disclosed. As such the Tribunal, while not placing reliance on the aforesaid contradictory versions observed that deceased Mulak Raj was earning Rs.2100/- per month being minimum wages. However, while calculating on the basis of unit system, the dependecy of deceased was assessed @ Rs.1800/- per month. Consequently, while applying the multiplier of 16, the petitioners were awarded a sum of Rs. 3,54,600/-. In addition to it, they were also awarded Rs.2000/- as conveyance charges, Rs.2000/- as funeral charges and Rs.5000/- towards loss of consotium.

Having closely scrutinized the facts, circumstances and evidence on record, the Tribunal appears to be justified in awarding compensation to the tune of Rs.3,54,600/-. I also do not differ with the impugned judgment because the Tribunal assessed the income of the deceased on the basis of minimum wages on account of the fact that the claimants have led contradictory evidence, regarding income of the deceased.

Consequently, finding no merit in the appeal, the same is hereby dismissed.

**MAY 14, 2007** **(A.N. JINDAL)**
shalini **JUDGE**